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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/603,307	06/23/2000	Allen B. Childress	5053-27600	1776

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EXAMINER

FRENEL, VANEL

ART UNIT

PAPER NUMBER

3626

DATE MAILED: 10/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/603,307

Applicant(s)

CHILDRRESS ET AL. *h*

Examiner

Vanel Frenel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: _____

DETAILED ACTION

Notice to Applicant

1. *This communication is in response to the application filed 23 June 2000.*

Claims 1-59 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi et al (5,950,169) in view of Abbruzzese et al (5,557,515).

(A) As per claim 1, discloses a method for processing an insurance claim to estimate a value of the insurance claim (Col.1, lines 24-55), the method comprising:

initiating the processing of the insurance claim by initiating a first step, wherein the processing of the insurance claim comprises a plurality of steps (Col.2, lines 33-49); proceeding through one or more of the steps in the processing of the insurance claim to arrive at an intermediary step (Col.2, lines 33-59); displaying the intermediary step after arriving at the intermediary step (Col.2, lines 50-67 to Col.3, line 17); and

displaying the selected step in response to selecting the selected step in the table of contents (Col.8, lines 30-64). Borghesi does not explicitly disclose displaying a table of contents, wherein the table of contents comprises an ordered list of the steps

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associated with the processing of the insurance claim, and wherein the ordered list of steps comprises the first step, the intermediary step, and any steps in between the first step and the intermediary step; selecting one of the steps from the ordered list of steps associated with the processing of the insurance claim in the table of contents.

However, this feature is known in the art, as evidenced by Abbruzzese. In particular, Abbruzzese suggests displaying a table of contents, wherein the table of contents comprises an ordered list of the steps associated with the processing of the insurance claim, and wherein the ordered list of steps comprises the first step, the intermediary step, and any steps in between the first step and the intermediary step; selecting one of the steps from the ordered list of steps associated with the processing of the insurance claim in the table of contents (See Abbruzzese Col.17, lines 21-67 to Col.18, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Abbruzzese within the system of Borghesi with the motivation of providing a claim office supervisors and other staff members with the ability to maintain an accurate record of all activities undertaken in the processing of a claim and the further ability to quickly and easily access the complete claim file (See Abbruzzese Col.3, lines 12-17).

(B) As per claim 2, Borghesi discloses the method wherein the ordered list of steps in the table of contents further comprises a final step (Col.5, lines 19-25).

(C) As per claim 3, Borghesi discloses the method wherein the selected step comprises the final step (Col.5, lines 19-25).

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(D) As per claim 4, Borghesi discloses the method wherein the final step comprises a report concerning the value of the insurance claim, wherein displaying the selected step comprises displaying the report, and wherein the report comprises information entered in the first step and in any steps in between the first step and the intermediary step (Col.5, lines 19-25).

(E) As per claim 5, Borghesi discloses the method further comprising: redisplaying the intermediary step after displaying the selected step (Col.6, lines 15-32).

(F) As per claim 6, Borghesi discloses the method further comprising: continuing the processing of the insurance claim after redisplaying the intermediary step by entering additional information relevant to the to estimate of the value of the insurance claim (Col.6, lines 1-32).

/ (G) As per claim 7, Borghesi discloses the method wherein the insurance claim comprises a bodily injury claim, and wherein processing the insurance claim to estimate the value of the insurance claim is comprises processing the bodily injury claim to estimate a bodily injury general damages value (Col.5, lines 1-36).

(H) As per claim 8, Borghesi discloses the method wherein the steps comprise steps for entry of information relevant to the estimate of the value of the insurance claim (Col.5, lines 1-25).

(I) As per claim 9, Borghesi discloses the method wherein the steps comprise screens displayed on a display device coupled to a computer system (Col.6, lines 6-20).

(J) As per claim 10, Borghesi discloses the method wherein the information comprises bodily injury treatment information (The Examiner interprets "other types of insurance such as property or health

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insurance may also be mapped into the claim workflow "as a form of bodily injury treatment information Col.4, lines 66-67 to Col.5, line 1).

(K) As per claim 11, Borghesi discloses the method wherein the information comprises bodily injury damages information (Col.2, lines 50-54).

(L) As per claim 12, Borghesi discloses the method wherein the ordered list of steps associated with the processing of said insurance claim are dynamically modifiable in response to said entry of information (Col.2, lines 33-49).

(M) As per claim 13, Borghesi discloses the method further comprising: adding or deleting steps to said dynamically modifiable ordered list of steps in response to said entry of information (Col.8, lines 15-29).

(N) As per claim 14, Borghesi discloses the method wherein proceeding through the one or more of the steps in the processing of the insurance claim further comprises entering information relevant to the estimate of the value of the insurance claim in the one or more of the steps (Col.5, lines 6-36).

(O) As per claim 15, Borghesi discloses the method further comprising: storing the entered information (Col.6, lines 6-20).

(P) As per claim 16, Borghesi discloses the method further comprising: modifying the entered information relevant to the estimate of the value of the insurance claim in the selected step after selecting the step in the table of contents (Col.8, lines 30-67 to Col.9, line 17).

(Q) As per claim 17, Borghesi discloses the method further comprising: storing the modified information (Col.6, lines 6-20).

(R) As per claim 18, Borghesi discloses the method wherein the initiating the processing of the insurance claim, the proceeding through one or more of the steps, the displaying the intermediary step, the displaying the table of contents, the selecting one of the steps from the ordered list of steps, and the displaying the selected step take place in a single session of an application program executing on a computer system (Col.10, lines 46-67 to Col.11, line 27).

(S) As per claim 19, Borghesi discloses a method for enabling a user to estimate an insurance claim, wherein the insurance claim is processed by an insurance claim processing system , wherein the insurance claim processing system includes a client system coupled through a network to an insurance claim processing server (Col.20, lines 34-50), the method comprising:

- a) receiving a request from a user of the client system to estimate an insurance claim, wherein said request comprises a claim identifier associated with said insurance claim (Col.5, lines 1-67);
- b) searching the insurance claim processing system for said claim identifier (Col.5; lines 1-67) if the claim identifier is not present, receiving specifications for said claim identifier (Col.4, lines 20-63);
- e) receiving a selection for at least one of the one or more steps associated with said insurance claim (Col.5, lines 1-36);
- f) providing an associated display to the client system of the selected step (Col.5, lines 51-67 to Col.6, line 20);
- g) receiving one or more client system inputs associated with the selected step (Col.5, lines 6-67);
- h) storing one or more client system inputs associated with the selected step (Col.5, lines 51-67 to Col.6, lines 51-67); i) repeating any of steps e) through h) until said selection for at least one of the one or more steps is the end step (Col.5, lines 6-35); and
- j) providing an estimated value display to the client system of said insurance claim (Col.5, lines 27-67 to Col.6, line 32). Borghesi does not specifically disclose d) providing a display of table of contents to the client system associated with said claim identifier, wherein the table of contents display represents

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one or more steps associated with said insurance claim, wherein one of the one or more steps comprises an end step.

However, this feature is known in the art, as evidenced by Abbruzzese .In particular, Abbruzzese suggests a display of table of contents to the client system associated with said claim identifier, wherein the table of contents display represents one or more steps associated with said insurance claim, wherein one of the one or more steps comprises an end step (See Abbruzzese Col.17, lines 22-67 to Col.18, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Abbruzzese within the system of Borghesi with the motivation of providing a claim office supervisors and other staff members with the ability to maintain an accurate record of all activities undertaken in the processing of a claim and the further ability to quickly and easily access the complete claim file (See Abbruzzese Col.3, lines 12-17).

(T) As per claim 20, Borghesi discloses the method wherein the one or more steps associated with said insurance claim are dynamically modifiable in response to said client system inputs (Col.5, lines 37-67).

(U) As per claim 21, Borghesi discloses the method further comprising adding or deleting said one or more steps in response to said client system inputs (Col.8, lines 15-49).

(V) As per claim 22, Borghesi discloses the method wherein searching the insurance claim processing system comprises searching an insurance database (Col.11, lines 45-61).

(W) Claim 23 differs from claims 1 and 19 by reciting a previous display screen pointer and a user pointer, the method comprising :

As per this limitation, it is noted that Borghesi discloses a method for dynamically creating a table of contents display screen, wherein the table of contents display screen is associated with a specified

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insurance claim, wherein said specified insurance claim is associated with a set of one or more display screens, wherein each display screen in the set of one or more display screens (Col.8, lines 3-67), the method comprising:

- a) reading the first previous display screen pointer for a first display screen included in the set of one or more display screens associated with the specified insurance claim (Col.7, lines 40-53);
- b) determining whether the first previous display screen pointer is present (Col.7, lines 40-53);
- c) if the first previous display screen pointer is not present, adding the first display screen included in the set of one or more display screens to said table of contents display screen (Col.7, lines 40-53);
- d) reading the first user pointer for said first display screen included in the set of one or more display screens associated with the specified insurance claim (Col.7, lines 40-67); e) determining whether the first user pointer is present (Col.8, lines 3-29);
- f) if the first user pointer is present, adding the first display screen included in the set of one or more display screens to said table of contents display screen (Col.8, lines 50-67); and Abbruzzese discloses storing said table of contents display screen.

Thus, it is readily apparent that these prior art systems utilize a previous display screen pointer and a user pointer to perform their specified function.

The remainder of claim 23 is rejected for the same reason given above for claims 1 and 19, and incorporated herein.

(X) As per claim 24, Borghesi discloses a system for processing an insurance claim to estimate a value of the insurance claim (Col.1, lines 24-55), the system comprising:

a CPU (Col.7, lines 10-28);

a display coupled to the CPU (Col.6, lines 6-14);

a memory coupled to the CPU, wherein the memory stores program instructions which are executable by the CPU (Col.6, lines 6-14) to:

initiate the processing of the insurance claim by initiating a first step, wherein the processing of the insurance claim comprises a plurality of steps (Col.5, lines 16-67);

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proceed through one or more of the steps in the processing of the insurance claim to arrive at an intermediary step (Col.5, lines 16-67);
display the intermediary step on the display after arriving at the intermediary step (Col.6, lines 15-32);
permit a selection by a user of one of the steps from the ordered list of steps associated with the processing of the insurance claim in the table of contents (Col.10, lines 29-67 to Col.11, line 18); and
display the selected step on the display in response to the selection of the selected step in the table of contents (Col.10, lines 29-67 to Col.11, line 18). Borghesi does not explicitly disclose display a table of contents on the display, wherein the table of contents comprises an ordered list of the steps associated with the processing of the insurance claim, and wherein the ordered list of steps comprises the first step, the intermediary step, and any steps in between the first step and the intermediary step.

However, this feature is known in the art, as evidenced by Abbruzzese. In particular, Abbruzzese suggests display a table of contents on the display, wherein the table of contents comprises an ordered list of the steps associated with the processing of the insurance claim, and wherein the ordered list of steps comprises the first step, the intermediary step, and any steps in between the first step and the intermediary step (See Abbruzzese Col.17, lines 22-67 to Col.18, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Abbruzzese within the system of Borghesi with the motivation of providing a claim office supervisors and other staff members with the ability to maintain an accurate record of all activities undertaken in the processing of a claim and the further ability to quickly and easily access the complete claim file (See Abbruzzese Col.3, lines 12-17).

(Y) Claim 42 differs from claims 1, 19, 23, and 24 by reciting a carrier medium comprising program instructions for estimating a value of the insurance claim, the program instructions are computer – executable to implement:

As per this limitation, it is noted that Borghesi discloses initiating the processing of the insurance claim by initiating a first step, wherein the processing of the insurance claim comprises a plurality of steps

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(Col.2, lines 33-49); proceeding through one or more of the steps in the processing of the insurance claim to arrive at an intermediary step (Col.2, lines 33-59); displaying the intermediary step after arriving at the intermediary step (Col.2, lines 50-67 to Col.3, line 17);

permitting a user to select one of the steps from the ordered list of steps associated with the processing of the insurance claim in the table of contents (Col.10, lines 29-67 to Col.11, line 18); and displaying the selected step in response to the user selecting the selected step in the table of contents (Col.10, lines 29-67 to Col.11, line 18) and Abbruzzese discloses displaying a table of contents, wherein the table of contents comprises an ordered list of the steps associated with the processing of the insurance claim, and wherein the ordered list of steps comprises the first step, the intermediary step, and any steps in between the first step and the intermediary step.

Thus, it is readily apparent that these prior art systems utilize program instructions to perform their specified function.

The remainder of claim 42 is rejected for the same reason given above for claims 1, 19, 23, and 24, and incorporated herein.

(Z) Claims 25-41 and 43-59 recite the underlying process steps of the elements of claims 2-18 respectively. As the various elements of claims 2-18 have been shown to be either disclosed by or obvious in view of the collective teachings of Borghesi and Abbruzzese, it is readily apparent that the apparatus disclosed by the applied prior art performs the recited underlying functions. As such, the limitations recited in claims 25-42 and 43-59 are rejected for the same reasons given above for method claims 2-18, and incorporated herein.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not applied art teaches a system for web-based payroll and benefits administration (6,401,079), insurance claims estimate, text, and graphics network and method (5,504,674).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 703-305-4952. The examiner can normally be reached on 6:00am-5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

V.F

V.F

October 10, 2002


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600